

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SHANE HOWARD FINGER,

Plaintiff,

v.

No.: 3:13-cv-363

NURSE BILLY J. BROCKMAN and
JOHN DOE MEDICAL DOCTOR,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On January 9, 2014, the Court ordered plaintiff to show cause why this case should not be dismissed as to defendant Billy J. Brockman. Plaintiff's copy of that order, which was mailed to him at his last known address of Anderson County Detention Facility, was returned undelivered on January 21, 2014, with the notation "return to sender - not at this facility." In the Court's initial order, plaintiff was ordered to inform the Court immediately of any address changes. Plaintiff was also advised that failure to provide a correct address within ten days following any change of address would result in the dismissal of this action.

Accordingly, this action will be **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P.

41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). The Court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE